

REMARKS

Favorable reconsideration of this application, in light of the following discussion, is respectfully requested.

Claims 1-30 and 32-35 are currently pending. Claims 1, 16, 25, and 34 have been amended by the present amendment. The changes to the claims are supported by the originally filed specification and do not add new matter.

In the outstanding Office Action, Claims 1-30 and 32-35 were rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 5,987,513 to Prithviraj et al. (hereinafter “the ‘513 patent”).

Applicants wish to thank the Examiner for the interview granted Applicants’ representative on July 14, 2005, at which time the rejection of Claim 1 was discussed. In particular, the functioning of the claimed local monitoring device and the claimed monitor were discussed in light of the teachings of the ‘513 patent. However, no agreement was reached pending the Examiner’s further consideration of the claims upon formal submission of a response to the outstanding Office Action.

Amended Claim 1 is directed to a computer implemented remote device monitoring system, comprising: (1) a local monitoring device configured to collect information from a device connected to a first network using a network management protocol, and to send the information to a monitor connected to a second network via a wide area network using a protocol; and (2) the monitor configured to receive the information using the protocol and to store the information in a digital repository connected to the second network. In addition, Claim 1 recites that the local monitoring device is configured to automatically request the information from the device, without receiving any instructions from the monitor requesting that the information be collected from the device. No new matter has been added. Moreover,

Applicants respectfully submit that the amendment to Claim 1 does not substantially alter the scope of Claim 1 and should be entered and considered by the Examiner.

Applicants respectfully traverse the rejection of Claim 1 (and dependent Claims 2-15) as anticipated by the '513 patent.

The '513 patent is directed to a network-based management system using browser based technology. As shown in Figure 1, the '513 patent discloses a network management station 101 that can be used to manage all of the elements in networks 110, 150, and 190. In particular, the '513 patent discloses that hypertext documents are used to graphically represent the network elements and to allow a user to manage the network by clicking on hypertext links, which causes the system to retrieve information related to the corresponding network elements. For example, the '513 patent discloses that the Simple Network Management Protocol (SNMP) is used to retrieve information from the network elements, using agents residing on the server or client computers. However, Applicants respectfully submit that the '513 patent fails to disclose both a local monitoring device configured to collect information from a device connected to a first network using a network management protocol, and a monitor, connected to a second network via a wide area network, configured to receive the information using a protocol, wherein the local monitoring device is configured to automatically request the information from the device, without receiving any instructions from the monitor requesting that the information be collected from the device, as recited in amended Claim 1. Rather, the '513 patent merely discloses a web-based network management station configured to obtain information from a device over a network, in response to user commands, by directing an agent to obtain various data values using SNMP commands.¹ In this regard, Applicants note that the Office Action cites Figure 8C and column 21, lines 33-38 of the '513 patent as disclosing the automatic request feature recited

¹ See, e.g., '513 patent, column 8, line 55 to column 9, line 51.

in Claim 1. The '513 patent discloses that the user can select whether the display should be refreshed periodically at a certain interval set by the user. However, Applicants respectfully submit that Claim 1 requires that the local monitoring device automatically request the information from the device, without receiving any instructions from the monitor requesting that the information be collected from the device. In contrast, the '513 system requires the user to initiate and request, via a browser and the network management station (server), the collection of information from a device, e.g., by setting a refresh interval. Accordingly, Applicants respectfully submit that Claim 1 (and dependent Claims 2-15), patentably define over the '513 patent.

Independent Claims 16, 25, and 34 recite limitations analogous to the limitations recited in Claim 1. Moreover, Claims 16, 25, and 34 have been amended in a manner analogous to the amendment to Claim 1. Accordingly, for the reasons stated above for the patentability of Claim 1, Applicants respectfully traverse the rejection of Claim 16 (and dependent Claims 17-24), Claim 25 (and dependent Claims 26-30, 32, and 33), and Claim 34 (and dependent Claim 35) as anticipated by the '513 patent.

Thus, it is respectfully submitted that independent Claims 1, 16, 25, and 34 (and all associated dependent claims) patentably define over the '513 patent.

Consequently, in view of the present amendment and in light of the above discussion, the outstanding grounds for rejection are believed to have been overcome. The application as amended herewith is believed to be in condition for formal allowance. An early and favorable action to that effect is respectfully requested.

Respectfully submitted,

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